

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

JAMES ELBAOR

PLAINTIFF

vs.

Case No. 4:13-cv-0447-JLH

ARKANSAS METHODIST HOSPITAL CORPORATION  
D/B/A ARKANSAS METHODIST MEDICAL CENTER

DEFENDANT

**DEFENDANT'S MOTION TO COMPEL**

Pursuant to Rules 26 and 37 of the Federal Rules of Civil Procedure, Defendant Arkansas Methodist Hospital Corporation d/b/a Arkansas Methodist Medical Center (“Arkansas Methodist”) moves to compel the Plaintiff James Elbaor to provide complete Initial Disclosures under Rule 26(a)(1) and to answer and respond to Defendant Arkansas Methodist’s First Set of Interrogatories and Requests for Production of Documents pursuant to Rules 33 and 34. In accordance with Local Rule 7.2, Arkansas Methodist’s attorney states that she has in good faith conferred or attempted to confer with Plaintiff’s attorney in an effort to resolve the disputes herein without Court action, but they are unable to resolve their disagreements without the intervention of the Court. In support of the instant motion, Arkansas Methodist relies on its contemporaneously filed supporting brief and its exhibits and incorporates them herein by reference.

WHEREFORE, Arkansas Methodist respectfully requests that this Court grant its Motion to Compel and enter an order finding that Plaintiff James Elbaor’s attorney’s objections are invalid and any further objections are waived and compelling Plaintiff James Elbaor to provide the following without further delay:

1. Proper and complete Initial Disclosures;
2. Complete, verified answers to Arkansas Methodist’s First Set of Interrogatories;

3. Complete document production, responsive to Arkansas Methodist's First Set of Requests for Production of Documents;
4. Signed authorizations for the release of records; and
5. Any other relief the Court deems proper.

/s/ Kim Flanery Coats  
Kim Flanery Coats (96267)  
Littler Mendelson, P.C.  
217 E. Dickson St., Suite 204  
Fayetteville, AR 72701  
Telephone: 479.582.6100  
Fax: 479.582.6111  
[kcoats@littler.com](mailto:kcoats@littler.com)

Attorney for Defendant

**CERTIFICATE OF SERVICE**

I hereby certify that on November 4, 2014, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Denise Reid Hoggard  
P.O. Box 17250  
Little Rock, AR 72222  
[hoggard@rainfirm.com](mailto:hoggard@rainfirm.com)

/s/ Kim Flanery Coats